

# History of the Successful Republican Effort to Compel FISA Modernization

Ranking Member Pete Hoekstra, HPSCI

## House Republican push builds momentum to fix FISA

- **April 12** – Congressional Intelligence Committees **warned of significant** and unintended **intelligence gaps** caused by legal requirements of the Foreign Intelligence Surveillance Act.
- **May 2** – **Congresswoman Heather Wilson offers comprehensive FISA reform**, with the unanimous support of Intelligence Committee Republicans, as an amendment to amend the FY'08 Intelligence Authorization bill during markup. Democrats defeat on party-line vote.
- **May 10** – Congresswoman Wilson offers a comprehensive FISA reform amendment during House debate of the FY'08 Intelligence Authorization bill. Amendment voted down by Democrats, who instead vote to divert resources for environmental spying and wasteful earmarks.
- **May 21** – Director of National Intelligence Mike McConnell **goes public** with concerns about worsening intelligence gap caused by FISA in *Washington Post Op-Ed*.
- **June** – Despite Director McConnell's warning about the nation's vulnerability because of loophole created by FISA, House Intelligence Committee Democrats remain mired in hearings to review years-old disagreements between lawyers about highly specific issues of legal theory that have since been fully and favorably resolved by federal judges. **Ashcroft informs committee what flavor Jell-O he ate in hospital.**
- **July 12** – Congressional **Republicans offer first motion** that would allow Congress **to close the terrorist loophole**, protect civil liberties for Americans and eliminate FISA-caused extension of protections to foreigners.
- **July 12** – Congressional Republicans offer a motion to amend latest-in-a-series of Democrat Iraq bills to address FISA flaws raised by Director McConnell. Democrats vote it down.
- **July 16** – **Intelligence Committee Republicans** send letter to White House **urging** President to push **Congress to stay in session** until FISA fixed.
- **July 23** – Congressional Republicans offer another motion that would allow Congress to fix FISA and close the terrorist loophole. Democrats vote it down.
- **July 24** – Intelligence Committee Ranking Republican Pete Hoekstra uses opening statement at joint Intelligence and Armed Services committee hearing to blast Democrats for continued refusal to fix FISA despite Director McConnell's warning. **Chairman Reyes**, responding to Director McConnell's warning of urgency, **says that Congress will address the issue sometime in the fall.**

- July 24 – **Congresswoman Wilson** introduces H.R. 3138, **legislation to close** the terrorist **loophole**, protect civil liberties for Americans and eliminate FISA-caused extension of protections to foreigners.
- July 25 – Congressional Republicans offer another motion that would allow Congress to fix FISA and close the terrorist loophole. **Democrats vote it down.**
- July 26 – Intelligence Committee Republicans send letter to Committee Chairman Silvestre Reyes urging him to prioritize fixing FISA and rebutting Democrat excuses to avoid fixing FISA.
- July 30 – Congressional Republicans offer another motion that would allow Congress to fix FISA and close the terrorist loophole. Democrats vote it down.
- July 30 – Congressional Republicans offer second motion of the day that would allow Congress to fix FISA and close the terrorist loophole. Democrats vote it down.
- July 30 – **Democrats cancel public hearing** with Director McConnell. Republicans express outrage at Democrat effort to deny the American public a chance to hear the nation's top intelligence officer speak and answer questions about the need to immediately fix FISA
- July 31 – Congressional Republicans offer another motion that would allow Congress to fix FISA and close the terrorist loophole. Democrats vote it down.
- Aug. 1 – Congressional Republicans offer another motion that would allow Congress to fix FISA and close the terrorist loophole. Democrats vote it down.
- Aug. 2 – **Hoekstra**, Republican Leader **Boehner**, Republican Whip **Blunt** and Republican Conference Chairman **Putnam introduce H.R. 3221**, legislation to **close** the terrorist **loophole**, protect civil liberties for Americans and eliminate FISA-caused extension of protections to foreigners. Language in the Senate-approved FISA bill, S. 1927, closely mirrors their bill.
- Aug. 3 – **Republicans write letter** to Chairman Reyes **requesting** a committee vote **to share information with all Members** of Congress that may be in committee possession **relating to the real-life consequences** of failure to fix FISA.
- Aug. 3 – After sustained efforts and pushing by Republicans, Democrats reluctantly move a piece of FISA legislation, which Director McConnell says is “unacceptable and does not fix the FISA problem. Congressional **Republicans lead House in rejecting the flawed bill.**
- Aug. 3 – The **Senate approves a FISA bill**, with the support of Director McConnell, that gives our nation's intelligence professionals the authorities and tools they need to protect the homeland.
- Aug. 4 – **Will the House finally pass a FISA fix?**